

CONTROL COUNCIL

Law No. 18

Housing Law

In order to make reasonable provision for the protection, extension, survey, allocation and utilization of existing housing space, the Control Council enacts as follows:

Article I

1. The German local authorities (Gemeinden, Gemeindeverbaende and Kreise) shall be responsible for carrying out the provisions of this Law. Such authorities shall be supervised by the appropriate German authorities at higher levels.

2. In this Law, unless the context otherwise requires, the phrase "German housing authorities" means, so far as regards matters of execution, the German local authorities and their housing offices, agencies and committees, and so far as regards matters of supervision, the German authorities at higher levels and their housing committees and agencies.

3. All German Housing authorities may issue regulations (Anordnungen) effective within their areas for the purpose of carrying out the provisions of this Law.

4. The duties imposed upon them by this Law shall be carried out by the German housing authorities under the control of Military Government and in accordance with directions and regulations issued by Military Government.

Article II

1. For the purposes aforesaid:-

a. The German local authorities shall:-

- (i) Maintain existing housing offices (Wohnungsaeenter) or similar agencies, or set up such offices or agencies if they do not already exist; and
- (ii) Establish housing committees whose functions it will be to tender advice to the housing offices in carrying out the provisions of this law.

b, The German housing authorities at higher levels may and shall, if so directed by Military Government, establish consulting committees to assist them in their duties,

2. The following principles shall be observed in the formation of the committees specified in the foregoing paragraph:-

a. No official of any of the German housing authorities shall be a member of such committees;

b. Among the members of each such committee there shall be:-

(i) One person experienced in matters of building construction or in the control of housing space; and

(ii) One representative of the general public, who should, so far as possible, be well acquainted with local conditions and

(iii) One woman at least;

c. In appointing members preference shall be given to persons who resisted the Nazi regime or suffered discrimination under it.

Article III

The appropriate German housing authorities shall take a census of housing space within their respective areas and shall collect all information necessary to enable the provisions of this Law to be carried out. Such information shall at all times be kept up to date.

Article IV

The appropriate German housing authorities shall take the necessary measures to provide housing space for all persons within their areas, in accordance with the standards prescribed or to be prescribed by Military Government.

Article V

1, Housing space shall be regarded as available if it is actually vacant, or is occupied by a person who has no legal right to such occupation.

2, Every owner or person in possession or control of a dwelling shall, whenever it becomes vacant, notify the appropriate German housing authority of such fact and state in such notification the number of rooms in the dwelling and their superficial area.

Article VI

In order to increase the amount of housing space within their areas, the German authorities may:

a. Reconvert into living accommodation housing space which is now used for other purposes;

b. Direct the exchange of dwellings where this will ensure a better distribution of housing space;

c. Adapt or modify existing housing space, where this will ensure its more effective use;

d. Carry out urgent repairs to houses and, in localities where the average housing space per person is less than 4 square meters, carry out more extensive works.

article VII

3. The competent German authorities may requisition (erfassen) any housing space necessary for carrying out the provisions of this law,

2. The requisitioning is effected by serving a written notice upon the owner and upon any person who may be in occupation. If this is not reasonably practicable, the requisitioning may be effected by affixing the written notice in a conspicuous position upon the property to be requisitioned,

3. Any person prejudicially affected may within three days of the date of service or affixation of the requisition notice lodge an appeal (Beschwerde) with the housing authority issuing the requisition notice. Such authority, unless it grants the redress asked for, must forward the appeal to the supervisory authority (Aufsichtsbehörde) for decision. The lodging of the appeal does not itself suspend or invalidate the requisition notice or any measures taken thereunder,

Article VIII

1. In allocating available housing space, the German housing authorities shall adopt the following principles:

a. A first priority shall be given in all cases to persons who have resisted the Nazi regime or suffered discrimination under it;

b. As between persons of equal priority, a preference shall be given to-

(i) Persons having large families and young children;

(ii) Aged persons;

(iii) Invalids and disabled persons.

The granting of such preference shall, however, be subject to local conditions and to any instructions of Military Government.

c. Appropriate preferences shall also be granted, if Military Government so directs, in places where there is a shortage of skilled labor, to persons engaged in such labor.

d. Preferential treatment shall not be given to any person on account of social or financial position;

e. Foreigners residing in Germany of their own free will shall be treated on the same basis as persons of German nationality.

2 Allocation (Zuteilung) shall be effected in the following manner:

a. On housing space becoming available by requisition or otherwise, the German housing authorities shall nominate a person, selected in accordance with the foregoing principles, to be a tenant and shall require the owner to conclude a tenancy agreement with such person which will secure to him the enjoyment of the relevant, housing space (Zuweisung);

b. If the owner does not agree or is not available, the housing authority may issue an order which shall operate as a tenancy agreement;

c. A tenancy agreement under subpara (a) or an order operating as a tenancy agreement under subpara (b) shall be effective for such a period, shall reserve such a rent and shall contain such terms and conditions as the appropriate housing authority may specify. In specifying such matters the housing authority shall have regard to tenancy agreements usual in the locality for the particular type of property;

d. The tenancy agreement must be concluded and the housing space occupied within 15 days of the requisitioning;

e. Any contract or agreement relating to the requisitioned housing space and entered into before the requisitioning is determined upon the coming into force of a tenancy agreement or order specified in this paragraph. A contract or agreement relating to such housing space and entered into after the requisitioning, is void, unless it is made in accordance with the provisions of this paragraph.

Article IX

1. All persons applying to the appropriate housing authority for an allocation of housing space must produce their ration cards and, if they are liable to be registered for work, appropriate certificates from the labor office (Arbeitsamt) indicating their profession or employment.

2. A person claiming priority on the grounds that he has resisted the Nazi regime or suffered discrimination under it must produce either

a. 6 certificate of release from detention in a concentration camp, or

b. A written statement in verification of his claim, made by his local trades union committee, or where there is no such trades union committee available or the claimant is not a member of a trades union, by a competent official of such other body as Military Government may specify.

3. A person claiming a preference on the grounds of invalidity or disability must produce a medical certificate.

4. All German housing authorities shall keep an appropriate register of applicants for housing space.

Article X

All German housing authorities shall submit reports to Military Government and their superior civil authorities at such times and in such manner as Military Government and the superior civil authorities may respectively prescribe. Such reports shall indicate the manner in which the provisions of this Law are being carried into effect and shall, in particular, show to what extent and in what way the principles concerning the allocation of housing space as laid down in Article VIII are being applied.

Article XI

Military Government may declare specified localities or districts to be "critical areas" (Brennpunkte des Wohnungsbedarfs). When such a declaration is made in respect of any locality or district the appropriate German housing authorities may take all measures necessary to prevent persons taking up residence there and to facilitate the departure of residents not vital to the economy of the locality or district.

Article XII

In this Ezv, and in any regulations or instructions issued for the purpose of carrying it into effect, the following words and phrases shall, unless the context otherwise requires, have the following meanings:--

a. The phrase "housing space" (**Wohnraum**) means any space which ~~is~~ weatherproof, ~~is~~ adequately lighted and ventilated, has a safe water supply and has sanitary facilities reasonably available, ~~It~~ does not include bathrooms, halls and stairways, kitchens with an area of less than 10 square meters and the first 10 square meters of any larger kitchen;

b. The word "dwelling" (**Wohnung**) means the whole or any part of a house, which ~~is~~ or has been the subject of a separate tenancy or subtenancy or is or was occupied as a separate unit by the owner;

c. The word "person" when used in computing living space means a natural person of not less than 14 years of age. A child between 1 year and 14 years shall be entitled to only one-half of the housing space allotted to a person of 14 years or over. Correspondingly, a child of less than one year shall not be counted.

Article XIII

Any person who violates or fails to comply with the provisions of this Law, or any instructions or directions issued by Military Government for the purpose of carrying this Law into effect, or a regulation issued by any German housing authority for the purposes of this Law shall be liable to criminal prosecution and upon conviction by a German or Military Government Court, be punished by imprisonment for a term not exceeding one year or a fine not exceeding RM 10,000 or by both such fine and imprisonment.

Article XIV

The provisions of this Law supersede the provisions of the Verordnung zur Wohnraumlenkung of 27 February 1943 (RGBl I 127) which is hereby repealed. All other German housing legislation inconsistent with this Law is repealed or amended in accordance with the provisions of this Law.

Article XV

This Law shall come into force on the date of publication,

Done at BERLIN, the 8th day of March, 1946.

/s/ V. Sokolovsky
 /t/ V. SOKOLOVSKY
 Army General
 for G. ZHUKOV
 Marshall of the Soviet Union

/s/ Lucius D. Clay
 /t/ LUCIUS D. CLAY
 Lieutenant General, U.S.A.
 for JOSEPH T. MCNARNEY
 General, U.S.A.

/s/ B. H. Robertson
 /t/ B. H. ROBERTSON
 Lieutenant General
 for B. L. MONTGOMERY
 Field Marshal

/s/ L. Koeltz
 /t/ L. KOELTZ
 General de Corps d'Armee
 for P. KOENIG
 General de Corps d'Armee

"In approving the law the Control Council, agreed on 1800 hours
 14 March 1946 as the date of publication."

CONL/P(46)18(Final)
 8 March 1946

COORDINATING COMMITTEEDISPATCH OF THE REPRESENTATIVES OF THE EDUCATIONAL COMMITTEE
OF THE CITY OF BERLIN TO THE TRIALS IN NUREMBERG

1. The Education Committee of the Allied Kommandatura proposed to send several educators from the city of Berlin to Nuremberg in order to witness a part of the Nuremberg trials with a view of Anti-Nazi education,

2. At their meeting of 1 February, the delegates have recognized the usefulness and expediency of this measure and decided to inquire of the Allied Control Authority whether it agrees in principle to the sending of educators to Nuremberg.

3. Should the Allied Control Authority agree in principle to sending of the representatives, the Allied Kommandatura of Berlin would submit at a later date a detailed request to this effect, mentioning the number of persons involved data, etc.

Approved at Berlin 12 March 1946

CORC/P(46)81
(BK/ACC(46)15)

COORDINATING COMMITTEEESTIMATED YEARS OF LIFE OF INDUSTRIAL PLANT.

The rates of depreciation of industrial equipment to be used in the evaluation of plants declared available for reparations should be those obtained by taking 80% of the estimated years of life obtained in bulletin F (revised January, 1942), "Depreciation and obsolescence, estimated useful lives and depreciation rates - US Treasury Department - Bureau of Internal Revenue".

Approved at Berlin 12 March 1946

CORC/F(46)88
(DECO/F(46)70)

COORDINATING COMMITTEE

INTER-ALLIED COMMISSION FOR DETERMINING PLANT CAPACITIES

The Directorate examined a proposal by the US Delegation for the creation of **Commissions** to ~~examine~~ production capacity retained in each Zone to **support** the ~~minimum~~ level of industry approved by the Economic Directorate,

After some discussion, in the course of which a number of amendments were approved.

THE DIRECTORATE DECIDED as follows:-

- (i) the Industry Committee is directed to establish Inter-Allied Commissions composed of representatives of the four Occupying Powers;
- (ii) as individual agreements are reached in the Economic Directorate on the level of industry, Inter-Allied Commissions will visit and inspect the **plants remaining in** the respective zones in the individual industries, with the object of checking the accuracy of the capacities to be retained for the **agreed** level of industry;

these Commissions will also have the right to visit those plants made available for reparations:

these Commissions will determine whether they visit **all** or **part** of the **plants** constituting a particular industry, depending on the **size and** character of the industry, and are authorized to inspect plants and equipment, plant records and other data bearing on capacity, in each of the **four** zones.

- (iii) The Chairmanship of each Commission shall rotate, depending on the zone in which the Commission is operating; during the period of field inspection the Chairman of the Commission shall be the member appointed as the representative of the nation occupying the zone in which the plants are being visited, In case of disagreement within any Commission, the matter shall be determined by the Chairman, subject to immediate review, if requested, by the Industry Committee;

- (iv) each Zone Commander shall make such arrangements as may be necessary to facilitate within his Zone plant inspections directed by this agreement;
- (v) the decisions in (i) to (iv) above 16-11 be sent to the Coordinating Committee for information and to the Industry Committee for action,

Approved at Berlin 12 March 1946

CORC/P(46)90

CONTROL COUNCILDIRECTIVE NO.27Administration of Social Insurance Applicable to German
Civilian Workers Employed by the Allied Occupational
Authorities

1. All German civilians, employed by the Allied Occupying Authorities and paid by the German Authorities will be, for Social Insurance purposes, regarded as regular employees of these German Authorities.

2. The German civilians, mentioned in paragraph 1, will pay the same contributions and will have right, to the same benefits as all other employees of the German Authorities carrying out similar work,

3. The German services paying wages to the German civilians working for the Allied Authorities will assume the obligations imposed on employers in the sphere of Social Insurance for the categories of workers in question.

Done at BERLIN, the 18th day of March, 1946

/s/ M. I. Dratvin
Lieutenant General

for V. SOKOLOVSKY
Army General

/s/ Lucius D. Clay
/t/ LUCIUS D. CLAY
Lieutenant General, USA

/s/ G. W. E. J. Erskine
Major General

for B. H. ROBERTSON
Lieutenant General

/s/ L. Koeltz
/t/ L. KOELTZ
General de Corps d'Armee

COORDINATING COMMITTEEGERMAN AGRICULTURAL COOPERATIVES

At its 28th Meeting on 21 December 1945, the Coordinating Committee sent CORC/P(45)206 revised, on the subject of German Agricultural Cooperatives, to the Finance Directorate for examination and specific proposals,

The Finance Directorate at its 16th Meeting transmitted the paper to the Banking Committee and considered the report of this Committee at its 19th and 22nd Meetings,

The Finance Directorate proposed (DFIN/M(46)7 Conclusion 90):

- (a) That in regard to the Agricultural Credit Cooperatives, the reconstitution of the capital should be permitted when it conforms with the articles and the needs of the Cooperative (without being limited to a particular percentage of the share capital), and within the limitations authorized by the Military Government of each zone;
- (b) To bring to the attention of the Coordinating Committee the fact that the Finance Directorate believes it should be asked to give its advice on any modifications having financial implications proposed in the future by the Working Party of the Food and Agricultural Committee with regard to the existing types of statutes for Agricultural Credit Cooperatives.

Approved at Berlin 18 March 1946

CORC/P(46)94
(DFIN/MEMO(46)40)

THE ARMY LIBRARY
WASHINGTON, D. C.

COORDINATING COMMITTEE

Uniform Banking Statistics in Germany

1. Current banking statistics should be freely exchanged as they become available among the four occupying powers.
2. Arrangements should be made for the exchange of information on this question, through the Secretariat of the Finance Directorate, once a quarter. Subsequently, when statistics of the German banks ~~become~~ regularly available, it would be desirable to effect the exchange of information monthly. The first exchange of information to apply to the position of the banks at the end of the fourth quarter of 1945.
3. Information should be provided on forms, agreed by the Directorate of Finance, based upon the American reporting forms,
4. With regard to the reporting forms, the instructions for their completion would need to be worked out by the authorities of each zone in order to apply to the conditions in the respective zones. In particular, the text of the instructions in the American forms cannot be applied to the conditions in the Soviet Zone.

Approved at Berlin 18 March 1946

CORC/P(46)96
(DFIN/P(46)7 Revise)

COORDINATING COMMITTEE

Payment of Defending Counsel's Fees and Costs
In Connection with War Criminals' Trial

1. The Charter of the International Military Tribunal makes no express provision for the manner in which the fees or costs of defending counsel are to be met, Article 16 gives the defendants the right to the assistance of counsel and Article 30 provides that:

"The expenses of the Tribunal and of the trials shall be charged by the signatories against funds allotted for the maintenance of the Control Council for Germany",

2. No such funds are allotted and the Control Council has not taken any action of record agreeing that compensation for defendants' counsel's fees or costs shall be paid,

3. It is proposed that the French, Soviet, and British should authorize the US to initiate advances by the Reichsbank at Nuremberg to a designated representative of the court who will control or authorize the disbursement of the funds for the purpose of paying such expenses of the Tribunal and of the present trial, including such defendant counsel's fees and costs in such amounts as may be approved by the Tribunal,

4. The advance so made would be separately accounted for and will subsequently be repaid,

Total costs will be shared by the Zones in any manner approved by the Control Council and advances will be repaid in any manner deemed appropriate by each Zone,

Approved at Berlin 18 March 1946

CORC/P(46)99
(DFIN/P(46)39 Revise)

COORDINATING COMMITTEE

Granting of Special Rights to Nationals of the
United Nations to Demand Information regarding
Securities which they possess in Banks.

Nationals of the United Nations who held securities in a German Bank, may, if they wish, demand a certified statement of the securities belonging to them and held by this bank.

The German banks, whether closed down or not, are under the obligation of producing these statements on the demand of the owners or of their proxy.

These demands will be made through the appropriate official department in the respective Zones, whilst awaiting the establishment of postal relations between the depositors and their banks.

In the Soviet Occupation Zone all the banks have been closed down. Requests for information concerning balance of securities belonging to nationals of the United Nations must be submitted to the new banks which have been opened and which will supply the information requested by utilizing as many of the records of the former banks as have been preserved from destruction.

Approved at Berlin 18 March 1946

CORC/P(46)102

CONTROL COUNCIL

Law No. 19

Amendment of Law No. 7, "Rationing of Electricity and Gas"

The Control Council enacts as follows:-

The provisions of Article III of Law No, 7 are hereby repealed and replaced by the following provisions:-

Article III

1, Persons infringing this law or any regulation pursuant thereto shall be liable to one or more of the following penalties:

- (a) surcharge
- (b) disconnection of supply
- (c) criminal prosecution

2. Consumption in excess of the authorized ration occurring between two successive meter readings shall be punishable as follows :-

(a) where the excess is less than 10% of the ration:-

- | | |
|--|--|
| (i) For the first offense involving any excess consumption | - Surcharge at the rate of 100 times the normal charge per KWH or ⁿ for the excess quantity consumed |
| (ii) For the second such offense | - In addition to the penalty stated in (i), disconnection of supply for 30 days |
| (iii) For the third or any subsequent offense involving any excess consumption | - In addition to the penalties stated in (i) and (ii), imprisonment without the option of a fine for a period not exceeding three months |

(b) Where the excess is more than 10% of the ration:-

- | | | |
|--|---|---|
| (i) For the first offense involving any excess consumption | - | Surcharge at the rate of 100 times the normal charge per KWH or m ³ for the excess quantity consumed together with disconnection of supply for 30 days |
| (ii) For the second or any subsequent offense involving any excess consumption | - | In addition to the penalties specified in (i) imprisonment without the option of a fine for a period not exceeding three months |

3. Any consumer who uses electricity or gas for a purpose prohibited by regulations, or who intentionally interferes with the normal operation of his meter or who fraudulently obtains or attempts to obtain electricity or gas, shall be liable to imprisonment for a term of not more than one year or to a fine of from 100 to 500 marks or to both such penalties. The Court may moreover order the suspension of the supply of electricity or gas for a period not exceeding three months.

4. Any inspector, meter reader or other employee of the utility who connives at or in any way assists or facilitates the infringement of any regulation made pursuant to this law shall be liable for each offense to imprisonment for a term of not more than one year or a fine of from 100 to 500 marks or to both such penalties.

5. Subject to the direction and control of the appropriate Military Government Authority, the powers of imposing a surcharge or disconnecting the supply under Paragraph 2 of this Article may be exercised directly and without the sentence of a criminal court by the undertakings responsible for the distribution of electricity and gas. Other penalties may only be imposed by a criminal court. Criminal proceedings may take place in either German or Military Government Courts,

These amendments to Law No. 7 shall come into force on the

first day of the month following the date of the publication of the present Law.

Done at BERLIN, the 20th day of March, 1946.

/s/ Malinin
Colonel General
for G. ZHUKOV
Marshal of the Soviet Union

/s/ Joseph T. McNarney
JOSEPH T. McNARNEY
General, U.S. Army

/s/ B.H. Robertson
Lieutenant General
for MONTGOMERY
Field Marshal

/s/ P. Koenig
P. KOENIG
General de Corps d'Armee

"The Control Council agreed to 1800 hours 24 March 1946 as the date of publication of Law No.19."

CONL/P(46)20(Final)
20 March 1946

CONTROL COUNCILLaw No. 20Increase in Telephone and Telegraph Rates

THE CONTROL COUNCIL ENACTS AS FOLLOWS:

Article I

Rates for all kinds of telephone services are hereby increased fifty (50) per cent above the rates determined in Appendix 3 (Anlage 3) to the Telephone Ordinance (Fernspreichordnung mit Ausfuehrungs-Bestimmungen), dated 24 November 1939 (Amtsblatt des Reichspostministeriums 1939 No. 127, page 859).

Article II

1, The basic per word rates for telegraph services are hereby increased as follows:

a. <u>Ordinary Telegrams</u>	<u>Reichspfennig</u>
Local telegram	From 8 to 15
Inter-urban telegrams	Prom 15 to 20

b. Double rates shall be charged for urgent telegrams,

c. The minimum tariff for one telegram shall be ten times the amount of the rate for one word.

2 The supplementary rates (Nebengebuehren) shall be the same as those stated in Appendix A (Anlage A) to the Telegraph Ordinance (Telegraphenordnung) of 30 June 1926 as revised on 22 December 1938 (Amtsblatt des Reichspostministeriums 1938, No. 144, Page 849).

Article III

This law will take effect 1 April 1946.

Done at BERLIN, the 20th of March 1946.

/s/ Malinin
Colonel General
for G. ZHUKOV
Marshal of the Soviet Union

/s/ Joseph T. McNarney
/t/ JOSEPH T. McNARNEY
General, U.S. Army

/s/ B.H. Robertson
Lieutenant General
for MONTGOMERY
Field Marshal

/s/ P. Koenig
/t/ P. KOENIG
General de Corps d'Armee

"The Control Council agreed to 1800 hours 26 March 1946 as the date of publication of Law No.20."

CONL/P(46)21(Final)
20 March 1946

COORDINATING COMMITTEE

INTERPRETATION OF PARAGRAPH 2 OF THE DEFINITION OF
THE TERM RESTITUTION

1. In consideration of paragraph 2 of CONL/P(46)3(Revise), it appears that where an article has been removed by force at any time during the occupation of a country, and is identifiable, the right to its recovery is an absolute one. The word "force" covers duress which may occur with or without violence. In this concept are also included looting, theft, larceny and other forms of dispossession whether they were carried out by an order of the German authorities, or by officials of the German civil or military administration, even when there was no order of the German authorities, or by individuals.

Also included are acquisitions carried out as a result of duress, such as requisitions or other orders or regulations of the military or occupation authorities.

2. In the third sub-paragraph of paragraph 2, it appears that by "all other property removed by the enemy" it was desired to include all property which was removed in any other way. This implies that restitution of property may be claimed whatever may have been the means or the reasons of dispossession.

But the property removed in such manner does not entail an "absolute right" to restitution, which may be granted only within the limits consistent with reparations.

3. These "limits consistent with Reparations" must be understood in the following manner. If property claimed on account of restitution is indispensable for the operation of a whole factory allocated on account of reparations, this property may be retained and not restituted.

Restitution will be made only if the removal of the equipment does not seriously diminish the production capacity of the plant and does not destroy the completeness of the equipment to such an extent that when this plant is delivered on account of reparations it loses all value owing to the fact that restitution has been made.

If restitution of the object itself is not granted, the right of the claimant nation is satisfied by means of compensation to be taken from German property in objects of equivalent value, as far as possible by equipment, manufactured goods and raw materials.

NOTE: The U.S. and U.K delegates agree with the above interpretation provided that:-
"Compensation in lieu of restitution must not create additional expenditures by the U.S. and U.K. in support of their respective zones."

Approved at Berlin 26 March 1946

CORC/P(46)110
DRDR/P(46)14 2nd Revise.

COORDINATING COMMITTEE

Change to Summer Time in Germany

Mote by Allied Secretariat

At its meeting held on 20 December 1945, (DIAC/M(45)16, Conclusion (177)), the Directorate of Internal Affairs and Communications agreed to accept 14 April 1946 as the date of change to summer time in Germany for 1946.

In order that a uniform date for the change to summer time in all European countries could be fixed, the Transport Directorate was informed of the acceptance of 14 April as the date for Germany, with a request that the information be forwarded to E.C.I.T.O.

In its reply, the Transport Directorate agreed to accept 14 April 1946 as the date of change to summer time in Germany for 1946.

At its meeting held on 19 March 1946, (DIAC/M(46)7, Conclusion (124)) the Directorate of Internal Affairs accepted 0200 hours 14 April 1946 as the time for change to summer time in Germany for 1946.

The Directorate of Internal Affairs and Communications requests the Coordinating Committee to confirm 0200 hours 14 April 1946 as the time for change to summer time in Germany.

This paper is circulated for the consideration of the Coordinating Committee at their Forty-Seventh Meeting to be held on 26 March 1946.

S. M. KUDRIAVTSEV, Counsellor

H. A. GERHARDT, Colonel

T. N. GRAZEBROOK, Brigadier

J. L. BAUDIER, Consul General

Allied Secretariat

Approved at Berlin 26 March 1946

CORC/P(46)115

THE PLAN FOR REPARATIONS AND THE LEVEL OF POSTWAR GERMAN ECONOMY
IN ACCORDANCE WITH THE BERLIN PROTOCOL

In accordance with the decisions of the Control Council, on the 26th March, the Economic Directorate met to edit the above mentioned report prior to its being published,

During the work it became apparent that there were some discrepancies in the translation of the document. In order to clarify some of the points

(208) the DIRECTORATE agreed:

- a. that the words "the decision of the Berlin Conference" in the Russian text, "Berlin Protocol" in the American and English texts, and "Potsdam Agreement" in the French text meant one and the same;
- b. that in Para IIc of the Russian text, the word "access" means that German goods will flow on international markets on the same basis as goods of other countries;
- c. that in Para IV of the British, French and American texts, it is understood that the words "Industrial Capital Equipment" mean all equipment and installation which constitute the industrial unit that is to be removed or eliminated;
- d. it is understood by the Economic Directorate that in the industries listed in Paras 7 a and b, and 8 a, b, c and d, there will be retained sufficient capacity to produce the specified percentages in the production of the pre-war year referred to, measured by sales in that year (in Reichsmark 1936 value).

The Soviet representative stated that he could not agree to a release of a document in which there is an indication of a disagreement by four Allied Delegations, as it is in Paras 12 and 16 of the document and in the Table 3-B. He proposed that the words previously agreed by the Economic Directorate at its 38th meeting be substituted for Para 16, and to delete Para 12 entirely.

After a considerable discussion, during which several compromise suggestions were put forth as regards the text of the note to Para 12 and Table 3-S, the French representative proposed the following words:

"production may exceed the above estimates in this paragraph (other industries) unless otherwise determined by the Control Council".

For Table 3-B, the following wording was proposed:

"production can exceed the estimates in Table 3 part B (with the exception of locomotives and wagons, serials 2, 3, 4, and 5) unless otherwise determined by the Control Council".

In Para. 16 the wording, as agreed by the Economic Directorate at its 38th meeting, was proposed:

"the general effect of plan is estimated as a reduction of the Level of Industry on a whole to a figure about 50 or 55 per cent of the pre-war Level of 1938 (excluding Building and Building Materials Industries)".

The Soviet and French members stated they were prepared to accept these proposals. The British member stated he was willing to consider them. However, the American representative stated that he considered it not possible to make amendments or changes in the text of the document as the Economic Directorate has no authority to alter documents that have been agreed by the Coordinating Committee and the Control Council.

As no agreement could be reached,

(208) the DIRECTORATE agreed:

- e. that all the representatives of the Economic Directorate will inform their representatives of the Coordinating Committee as to the situation so that this question may be settled by a special meeting of the Coordinating Committee or by some official negotiations.

The meeting ended at 1300 hours 28th March 1946.

Note by Secretariat: Appended hereto as Annex A is the final text of "The Plan for Reparations and the Level of Post-War German Economy in Accordance with the Berlin Protocol", as published,

26 March 1946

CONL/M(46)9

ALLIED CONTROL AUTHORITY

CONTROL COUNCIL

MINUTES

(Meeting of 24 March 1946)

THE MEETING:

- (45) (b) Agreed to publish the text of the plan for reparations and Level of post-war German economy on 28 March at 1800 hours,

30 March 1946

CONL/M(46)10

MINUTES

(Meeting of 30 March 1946)

THE MEETING:

- (47) approved the final text of the plan for reparations and level of post-war German economy prepared by the Economic Directorate and expressed gratitude to the latter for the work it had accomplished.

ECONOMIC DIRECTORATEANNEX A TO
DECO/M(46)20THE PLAN FOR REPARATIONS AND
THE LEVEL OF POST-WAR GERMAN ECONOMY
IN ACCORDANCE WITH THE BERLIN PROTOCOL

1. In accordance with the Berlin Protocol the Allied Control Council is to determine the amount and character of the industrial capital equipment unnecessary for the German peace economy and therefore available for reparations. The guiding principles regarding the Plan for Reparations and the Level of the Post-war German Economy, in accordance with the Berlin Protocol are:

- a. Elimination of the German war potential and the industrial disarmament of Germany.
- b. Payment of reparations to the countries which had suffered from German aggression.
- c. Development of agriculture and peaceful industries.
- d. Maintenance in Germany of average living standards not exceeding the average standard of living of European countries (excluding the United Kingdom and the Union of Soviet Socialist Republics).
- e. Retention in Germany, after payment of reparations, of sufficient resources to enable her to maintain herself without external assistance.

2. In accordance with these principles, the basic elements of the Plan have been agreed. The assumptions of the Plan are:

- a. That the population of post-war Germany will be 66.5 millions.
- b. That Germany will be treated as a single economic unit.
- c. That exports from Germany will be acceptable in the international market.

3. In order to eliminate Germany's war potential, the production of arms, ammunition and implements of war, as well as all types of aircraft and sea-going ships, is prohibited and will be prevented.

4. All industrial capital equipment for the production of the following items are to be eliminated:

- a. Synthetic gasoline and oil.
- b. Synthetic rubber.
- c. Synthetic ammonia.
- d. Ball and taper roller bearings.
- e. Heavy machine tools of certain types.
- f. Heavy tractors.
- g. Primary aluminum,
- h. Magnesium.
- i. Beryllium.
- j. Vanadium produced from Thomas Slags,
- k. Radio-active materials.
- l. Hydrogen peroxide above 50% strength
- m. Specific war chemicals and gases.
- n. Radio transmitting equipment.

Facilities for the production of synthetic gasoline and oil, synthetic ammonia and synthetic rubber, end of ball and taper roller bearings, will be temporarily retained to meet domestic requirements until the necessary imports are available and can be paid for,

Restricted Industries

Metallurgical Industries

5. Steel

a. The production capacity of the steel industry to be left in Germany should be 7.5 million ingot tons. This figure to be subject to review for further reduction should this appear necessary.

b. The allowable production of steel in Germany should not exceed 5.8 million ingot tons in any future year without the specific approval of the Allied Control Council, but this figure will be subject to annual review by the Control Council.

c. The steel plants to be left in Germany under the above program should, so far as practicable, be the older ones.

6. Non-Ferrous Metals. The annual consumption of non-ferrous metals (including exports of products containing these metals) is fixed at the following quantities:

Copper 140,000 tons

Zinc 135,000 tons

Lead 120,000 tons

Tin 8,000 tons

Nickel 1,750 tons

Chemical Industries

7. EL. Basic Chemicals. In the basic chemical industries there will be retained 40% of the 1936 production capacity (measured by sales in 1936 values). This group includes the following basic chemicals: nitrogen, phosphate, calcium carbide, sulphuric acid, alkalis, and chlorine. In addition, to obtain the required quantities of fertilizer for agriculture, existing capacity for the production of nitrogen through the synthetic ammonia process will be retained until the necessary imports of nitrogen are available and can be paid for.

b. Other Chemicals. Capacity will be retained for the group of other chemical production in the amount of 70% of the 1936 production capacity (measured by sales in 1936 values). This group includes chemicals for building supplies, consumer goods items, plastics, industrial supplies, aid other miscellaneous chemical products.

c. Dyestuffs, Pharmaceuticals and Synthetic Fibers. In the pharmaceutical industry there will be retained capacity for the annual production of 80% of the 1936 production, measured by sales (in 1936 value). Capacity will be retained to produce annually 36,000 tons of dyestuffs and 185,000 tons of synthetic fibers.

Machine Manufacturing and Engineering.

8. a. Machine Tools. For the machine tool industry there will be retained 11.4% of 1938 capacity, with additional restrictions on the type and size of machine tools which may be produced.

b. Heavy Engineering. In the heavy engineering industries there will be retained 31% of 1938 capacity. These industries produce metallurgical equipment, heavy mining machinery, material handling plants, heavy power equipment, (boilers and turbines, prime movers, heavy compressors, and turbo-blowers and pumps).

c. Other Mechanical Engineering. In other mechanical engineering industries there will be retained 50% of 1938 capacity. This group produces constructional equipment, textile machinery, consumer goods equipment, engineering small tools, food processing equipment, woodworking machines, and other machines and apparatus.

d. Electro-engineering. In the electro-engineering industries there will be retained 50% of 1938 production capacity (based on sales in 1938 values). Capacity to produce heavy electrical equipment is to be reduced to 30% of 1938 production or RM 40,000,000 (1936 value). Heavy electrical equipment is defined as generators and converters, 6000 KW and over; high tension switch gear; and large transformers, 1500 KVA and over. Electro-engineering, other than heavy electrical equipment, includes electric lamps and light fittings, installation materials, electric heating and domestic appliances, cables and wires, telephone and telegraph apparatus, domestic radios, and other electrical equipment. Export of specified types of radio receiving sets is forbidden.

c. Transport Engineering.

- (1) In the automotive industry capacity will be retained to produce annually 80,000 automobiles, including 40,000 passenger cars and 40,000 trucks, and for 4,000 light road tractors.
- (2) Capacity will be retained to produce annually 10,000 motorcycles with cylinder sizes between 60 and 250 cubic centimeters. Production of motorcycles with cylinder sizes of more than 250 cubic centimeters is prohibited.
- (3) In the locomotive industry available capacity will be used exclusively for the repair of the existing stock of locomotives in order to build up a pool of 15,000 locomotives in 1949. A decision will be made later as to the production of new locomotives after 1949.
- (4) Sufficient capacity will be retained to produce annually 30,000 freight cars, 1,350 passenger coaches and 400 luggage vans.

f. Agricultural Machinery. To permit maximization of agriculture, capacity will be retained for an annual production of 10,000 light agricultural tractors. Existing capacity for the production of other agricultural equipment, estimated at 80% of 1938 levels, is to be retained, subject to restrictions on the type and power of the equipment which may be produced.

g. Spare Parts. In estimating capacities there will be taken into account the production of normal quantities of spare parts for transport and agricultural machinery.

h. Optics and Precision Instruments. Capacity will be retained to produce precision instruments in the value of 340,000,000 RM (1936 value), of which 220,000,000 RM is estimated as required for domestic use and 120,000,000 RM for exports. A further limitation for this industry is possible, subject to the recommendation of the Committee for the Liquidation of German War Potential.

Mining Industries

9. a. Coal. Until the control Council otherwise decides, coal production will be maximized as far as mining supplies and transport will allow. The minimum production is estimated at 155 million tons (hard coal equivalent), including at least

45 million tons for export. The necessary supplies and services to this end will be arranged to give the maximum production of coal.

b. Potash. The production of potash is estimated at over 100% of the 1938 level.

Electric Power

10. There will be retained an installed capacity of 9 million KW.

Cement

11. Capacity will be retained to produce 8 million tons of cement annually.

Other Industries

12. The estimated levels of the following industries have been calculated as shown below as necessary for the German economy in 1949:

a. Rubber. 50,000 tons, including 20,000 tons from reclaimed rubber and 30,000 tons from imports.

b. Pulp, Paper and Printing. 2,129,000 tons, based on 26 kg per head per annum in 1949 plus 400,000 tons for export.

c. Textiles and Clothing Industries. 665,000 tons of fiber, based on 10 kg per head for 1949, including 2 kg for export,

d. Boots and Shoes. 113,000,000 pairs, based on 1.7 pairs per head in 1949 (figure excludes needs of occupying forces). Production may exceed the above estimates in this paragraph (Other Industries) unless otherwise determined by the Control Council.

13. Building. No level will be determined for 1949. The industry will be free to develop within the limits of available resources and the licensing system.

14. Building Materials Industries (Excluding Cement). Existing capacity will be retained. Production will be in accordance with building licensing and export requirements.

15. Other Unrestricted Industries. For the following industries no levels have been determined for 1949. These industries are free to develop within the limitations of available resources. These industries are as follows:

- a. Furniture and woodwork.
- b. Flat glass, bottle and domestic glass.
- c. Ceramics.
- d. Bicycles.
- e. Motorbicycles under 60 cc.
- f. Potash,

General Level of Industry

16. It is estimated that the general effect of the plan is a reduction in the level of industry as a whole to a figure about 50 or 55 per cent of the prewar level in 1938 (excluding building and building materials industries).

Exports and Imports

17. The following agreement has been reached with respect to exports and imports:

a. That the value of exports from Germany shall be planned as 3 billion RM (1936 value) for 1949, and that sufficient industrial capacity shall be retained to produce goods to this value and cover the internal requirements in Germany in accordance with the Potsdam Declaration,

b. That approved imports will not exceed 3 billion RM (1936 value), as compared with 4.2 billion RM in 1936.

c. That of the total proceeds from exports, it is estimated that not more than 1½ billion RM can be utilized to pay for imports of food and fodder, if this will be required, with the understanding that, after all imports approved by the Control Council are paid for, any portion of the sum not needed for food and fodder will be used to pay for costs of occupation, and services such as transport, insurance, etc.

Determination of Capacities Available for Reparations

18. After the approval of this Plan, the existing capacities of the separate branches of production shall be determined, and a list of enterprises available for reparations shall be compiled.

19. After decisions have been given on the matters now referred to the Coordinating Committee, the Economic Directorate would propose to prepare the final plan embodying these decisions and including a description of the various features of the Plan, such as: disarmament, reparations, post-war German economy, and the German balance of trade,

LEVEL OF INDUSTRY1. PROHIBITED INDUSTRIESA. Production of the following will be entirely prohibited:-

- (1) War Materials as specifically defined by the Allied Control Authority including but not limited to arms, ammunition and implements of war, as well as all types of aircraft and specific war chemicals and gases,
- (2) Sea-going ships (not interpreted to include small fishing vessels),
- (3) Magnesium,
- (4) Primary aluminum and alumina for the purpose of producing aluminum.
- (5) Beryllium.
- (6) Vanadium produced from Thomas slags,
- (7) Radio-active materials.
- (8) Hydrogen peroxide above 50% strength.
- (9) Radio transmitting equipment,
- (10) Heavy tractors above the limits of capacity determined by the Allied Control Authority,
- (11) Heavy machine tools of the sizes and types prohibited by the Allied Control Authority,

3. Production of the following items will be permitted only until sufficient imports will be possible and can be paid for:-

- (1) Synthetic gasoline and oil.
- (2) Synthetic rubber.
- (3) Ball and taper roller bearings.

C. Production of Synthetic Ammonia will be permitted until exports can be found to pay for required imports of nitrogen as well as for all other necessary imports. To the extent to which synthetic ammonia production is not eliminated, it will be limited to not more than that amount necessary to meet Germany's peacetime requirements.

LEVEL OF INDUSTRY

2 Industries for which no level will be determined for 1949 and which are free to develop within the limits of available material and financial resources.

Serial	Industry
1	Building and Building Materials (excluding cement)
2	Furniture and wood-work*
3	Flat glass, bottle and domestic glass
4	Ceramics
5	Bicycles
6	Motor-bicycles under 60 c. c .
7	Potash

TABLE 3.

LEVEL OF INDUSTRY

3. Industries the levels of which are determined or estimated for 1949

PART A
Industries from which production capacity will be taken for Reparations

Serial	Item	Production or Supply in Pre-war Year	Estimated level in 1949	Percentage of pre-war considered in Column 3	Remarks
1.	<u>Steel</u>	19.2 m. tons (1936)	7.5 m. tons capacity	39	Permitted level of industry subject to annual review. (For allowable production see paragraph 5b of the Plan)
2.	<u>Copper</u>	292,000 tons (1936)	140,000 tons	48	(a) Figures for non-ferrous metals are for consumption incl. consumption for exports containing these metals. (b) It is estimated that in 1949, 40,000 tons of copper, 20,000 tons of lead and 45,000 tons of zinc will be used in the manufacture of exports containing these metals. (c) Figures for non-ferrous metals includes secondary metal and scrap. (d) Estimated that to meet the requirement of 8,000 tons of tin it will be necessary to import 6,000 tons of tin.
3.	<u>Zinc</u>	225,000 tons (1936)	135,000 tons	60	
4.	<u>Lead</u>	223,000 tons (1936)	120,000 tons	54	
5.	<u>Tin</u>	16,000 tons (1936)	8,000 tons	50	
6.	<u>Nickel</u>	9,500 tons (1936)	1,750 tons	18	
7.	<u>Aluminum</u> (consumption)	..	30,000 tons	..	
8.	<u>Magnesium</u> (consumption)	..	1,000 tons	..	

Serial	Item	Production or supply in pre-war year	Estimated level in 1949	Percentage of pre-war considered in column 3	Remarks
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9. Mechanical Engineering
(excl. Agricultural Engineering
and Ball and Taper Roller Bearings)

(a) Heavy Engineering
comprising:
Metallurgical Equipment RM 1,394
Heavy Mining Machinery mill.
Material Handling Plant (1938)
Heavy Power Equipment, Boilers,
and Turbines, Prime Movers,
heavy compressors, turbo-
blowers and pumps. RM 432
mill.
31

(b) Light Engineering and Con-
structional Equipment comprising:
Constructional Equipment RM 2,291
mill.
Textile Machinery (1938)
Other Consumers Goods Equipment
Food Processing Equipment
Chemical and Refining Equipment
General Engineering
Materials Processing Equipment
Small Tools
Wood-working machinery
Gas Welding and Cutting machinery
Miscellaneous Machines
RM 1,145
mill.
50

(c) Machine Tools
RM 645
mill. (1938)
Total RM 74
mill. 11.4
mill. 38.1

Machine Tools to be limited
as regards type and size by
the Allied Control Authority

Serial	Item	Production or Supply in pre-war year	Estimated Level in 1949	Percentage of pre-war considered in column 3	Remarks
10.	<u>Precision Instruments and Optics</u>	RM 491 m. (1936)	RM 340 m.	70	Including an estimated RM 120 m. for export. A further limitation is possible for this industry depending upon the recommendation of the Committee for Liquidation of War Potential Limited as regards capacity and type.
11.	<u>Agricultural Tractors</u>	13,900 (1936)	10,000	72	
12.	<u>Private Cars</u>	245,000 (1936)	40,000	16	
13.	<u>Commercial Vehicles</u>	59,000 (1936)	40,000	67	
14.	<u>Light Road Tractors</u>		4,000		
15.	<u>Motor-bicycles</u>	..	10,000	..	Cylinder capacity 60 c.c. to 250 c.c. Motor-bicycles with cylinder capacity over 250 c.c. to be prohibited.
16.	<u>Electrical Engineering</u> of which Heavy Electrical Engineering	RM 3,600 m. (1938)	RM 1,500 m.	50	Heavy electrical Engineering comprises: (i) Generators and converters 6,000 KW. and over; (ii) High tension switch-gear; (iii) Large transformers 1,500 kVA and over.
		RM 130 m. (1938)	RM 40 m.	30	

Serial	Et	Production or Supply in pre-war year	Estimated level in 1949	Percentage of Pre-war Considered in Column 3	Remarks
17.	Basic Chemicals	RM 920 m.	RM 368 m.	40	Nitrogen, phosphates, calcium carbide, sulphuric acid, chlorine, alkali Production of synthetic ammonia to continue for time being (see Table I(C))
18.	Miscellaneous Chemical Products	RM 2,112 m. (1936)	RM 1,478 m.	70	Building supplies, consumer goods, plastics, industrial supplies, other chemicals.
19.	Pharmaceuticals				
	(a) Domestic	RM 288 m. (1936)	212 m.*		
	(b) Export	RM 125 m. (1936)	120 m.*		
	Total	RM 413 m. (1936)	332 m.	80	
20	Dyestuffs				
	(a) Domestic	RM mills. 000 tons	73* 20*		
	(b) Export	RM mills. 000 tons	58* 16*		
	Total	RM mills 000 tons	131 36		

* Agreed in the Economic Directorate, not yet confirmed by the Control Council.

Serial

21.

22.

Item

Production or
Supply in pre-
war year

Estimated
level in
1949

Percentage of
Pre-War
Considered in
Column 3

Remarks

Cement

11.7 m. tons
(1936)

8.0 m. tons

68

Electric Power
installed capacity
in million KW

15.2 MKW
(1936)

9.0 MKW

60

PART B

3. Industries levels for which have been fixed or estimated for 1949

Industries from which Reparations are not anticipated, but this possibility is not excluded if the Control Council decides that surpluses of Industrial Capital Equipment are not required in Germany or for export and are suitable for Reparations.

LEVEL OF INDUSTRY

TABLE 1.

Serial Item	Production or Supply in Pre-war Year	Estimated Level in 1949	Percentage of Pre-war Considered in Column 3	Remarks

1	Coal	208 m. tons (1936)	155 m. tons	75	
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Figures in hard coal equivalent. Until the Control Council otherwise decides, coal production will be maximized as far as mining supplies and transport will allow. The minimum production is estimated at 155 million tons (hard coal equivalent), including at least 45 million tons for export. The necessary supplies and services to this end will be arranged to give the maximum production of coal.

Post war level not fixed, all capacity to be engaged exclusively on repairs until 1949.

2.	Main Line Locomotives	285 (1936)			
3.	Railway wagons		30,000		
4.	Passenger Coaches		1,350		
5.	Luggage Vans		400		
6.	Agricultural Machinery other than tractors	Rm 323 mill. (1938)	Rm 258 mill.	80	
7.	Textile	856,000 tons (1936) (weight of fibre)	665,000 tons (a) Synthetic 185,000 (b) Natural	74	

Based on 10 kg per head in 1949 incl. 2 kg for export

TABLE 3. Part B (Cont)

LEVEL OF INDUSTRY

Serial	Item	Production or Supply in Pre-war Year	Estimated Level in 1949	Percentage of Pre-war considered in Column 3	Remarks
8.	Rubber	80,000 tons (1936)	50,000 tons	62.5	Minor adjustments are possible.
9.	Paper	3,149,000 tons (1936)	2,129,000 tons	65	Based on 26 kg per head in 1949 plus 400,000 tons for export.
10.	Boots and Shoes	160 m. pairs (1936)	113 m. pairs	70	Based on 1.7 pairs per head in 1949 (Figure excludes needs of occupying forces).

Production can exceed the estimates in Table 3, Part B (with the exception of locomotives and wagons, Serials 2, 3, 4, and 5) unless otherwise determined by the Control Council.

CONTROL COUNCIL

Law No. 21

Law Concerning German Labor Courts

The Control Council enacts as follows:

ARTICLE I

For the settlement of labor disputes Local and Appellate Labor Courts shall be established throughout the whole of Germany.

ARTICLE II

The Labor Courts shall have jurisdiction in civil actions of the following categories, to the exclusion of the ordinary courts and irrespective of the value of the matter in dispute (Wert des Streitgegenstandes) .

1. Disputes between parties to a collective agreement, or between such parties and third parties, where the disputes arise out of collective agreement or relate to the existence or non-existence of collective agreements; and disputes between parties competent to conclude collective agreements, or between such parties and third parties, where the disputes arise out of wrongful acts provided measures taken for the purposes of industrial strife (Arbeitskampf) or questions of freedom of association are in issue;

2. Disputes between employers (Arbeitgeber) and employees (Arbeitnehmer) where the disputes arise out of the employment relationship or apprenticeship, or relate to the existence or non-existence of a contract of employment or articles of apprenticeship, or arise out of negotiations for the conclusion of a contract of employment or articles of apprenticeship and out of the effects thereof; and disputes arising out of wrongful acts provided these are connected with the employment relationship or apprenticeship. Exceptions shall be -

- (a) disputes relating to an employee's invention, where the subject matter of the dispute is not merely a claim for remuneration or compensation for the invention;

- (b) disputes involving persons belonging under section 481 of the Commercial Code to a ship's crew.

3. Disputes between employees arising out of their common employment and out of unlawful acts provided these are connected with the employment relationship or apprenticeship.

4. Disputes arising out of agreements between employers and employees about conditions of work, health and protection against accidents.

5. Disputes relating to the interpretation of agreements concluded between Works Councils and employers.

ARTICLE III

The Labor Courts shall be under the German Labor Administration of the Province or Land only for administrative purposes, Their decisions shall not in any way be influenced, set aside or modified by such authorities.

ARTICLE IV

1. The Local Labor Courts shall be courts of first instance irrespective of the value of the matter in dispute.

2. The Appellate Labor Courts, as courts of second instance, shall decide appeals from decisions of the Local Labor Courts. Such decisions shall be subject to appeal when the value of the matter in dispute is equal to or exceeds the amount fixed by the Labor Administration of the Province or Land, or when the Local Labor Courts, although the value involved is lower than the amount which has been thus fixed, have decided to adjudicate subject to appeal because of the fundamental importance of the principle involved. Reasons shall be given in such cases for the decision to adjudicate subject to appeal.

3. In the absence of a German Supreme Labor Court of Appeal the Zone Commanders may establish one or more higher courts as courts of final instance in Labor disputes,

ARTICLE V

Each Labor Court shall consist of a Chairman or Deputy Chairman and of assessors. The assessors shall be selected in equal number from among employers and employees, Each member shall be of recognized democratic views.

ARTICLE VI

1. Chairmen and Deputy Chairmen of Labor Courts shall be selected and appointed in accordance with the following procedures:

a. The Chairman and Deputy Chairman shall be persons particularly competent on labor matters and capable of assuming the functions of judges by reason of their former activities, their studies or the functions they have exercised in employees' or employers' organisations. They need not be professional judges; but the Chairmen and Deputy Chairmen of appellate courts shall have appropriate legal qualifications.

b. Representatives of employees and employers shall propose to the Provincial or Land Labor Administration names of candidates for the posts of Chairmen and Deputy Chairmen. The aforesaid representatives shall respectively submit a number of candidates corresponding to the number of seats to be filled,

c. The Provincial or Land Labor Administration shall draw up a list of candidates for the posts of Chairmen and Deputy Chairmen from the names submitted by the representatives of employees and employers. It may propose as candidates other persons than those recommended by the representatives. After consulting such representatives the Labor Administration of the Province or Land shall submit a list of candidates together with the original recommendations of the representatives to the highest authorities in the Province or Land which shall make the appointments.

2. The German Labor Administration of the Province or Land shall establish two panels of assessors:

a. The employees' panel shall be selected on the basis of the proposals of the Trade Unions or their Federations within the territorial jurisdiction of the Court.

b. The employers' panel shall be selected on the basis of the proposals of the employers or of recognized employer's associations within the territorial jurisdiction of the court.

ARTICLE VII

1. The term of office of the Chairman or the Deputy Chairman of a Labor Court shall be three years. He shall be eligible for reappointment.

2, The Chairmen and Deputy Chairmen may be removed by the appointing authority on the recommendation of a Disciplinary Chamber. The Disciplinary Chamber shall consist of a Chairman who shall be a representative of the appointing authority and six members who shall be Chairmen of Labor Courts of the same or neighbouring Provinces or Lands.

3. The right of the Zone Commanders to remove or to approve removal of personnel of Labor Courts is not affected by this Law.

ARTICLE VIII

1. The expenses for the organization and functioning of the Labor Courts shall be borne by the Provinces or Lands and shall be included in their budget.

2. The costs of each case shall be borne by the parties designated by the Labor court.

ARTICLE IX

The territorial jurisdiction of Labor Courts shall be determined by the respective Zone Commanders.

ARTICLE X

As an interim measure, the provisions of the German Labor Courts Act (Arbeitsgerichtsgesetz of 23 December 1926) in its original version shall continue to apply insofar as they are not in conflict with those of the present law.

ARTICLE XI

The Allied Kommandatura is charged with the duty of taking appropriate measures for the establishment of Labor Courts in Berlin in accordance with the principles of this law.

ARTICLE XII

This law concerns Labor Courts of the first and second instance, unless otherwise specified.

ARTICLE XIII

The present law shall ~~come~~ into force on the day of its publication.

Pone at Berlin the 30th day of March 1946.

/s/ V. Sokolovsky
 /t/ V. SOKOLOVSKY
 Army General
 for G. ZHUKOV
 Marshal of the Soviet Union

/s/ Lucius D. Clay
 /t/ LUCIUS D. CLAY
 Lieutenant General
 for JOSEPH T. McNARNEY
 General, U.S.A.

/s/ Montgomery of Alamein
 /t/ MONTGOMERY OF ALAMEIN
 Field Marshal

/s/ L. Koeltz
 /t/ L. KOELTZ
 General de Corps d'Armee
 for P. KOENIG
 General de Corps d'Armee

"The Control Council agreed to 1800 hours 4th April 1946 as the date of publication of Law No. 21."

(CONL/P(46)23(final)
 30 March 1946

COORDINATING COMMITTEE

Plants subject to Advance Delivery on
account of Reparations. List No. 2.

Official number	Name of Plant	Description	Zone	Claimant country
16	Deutsche Schiff und Maschinenbau A.G. Bremen Valentin	Main production: U-Boats and Trawlers	U.S.	France U.S.A. Holland India Australia Yugoslavia Norway Czechoslovakia Belgium Egypt Denmark Greece
17	C.F.Borgward-Torpedo Section of Automobile plant, Bremen	Main production: Torpedoes.	U.S.	France Holland India Australia Czechoslovakia Greece
18	Norddeutsche Huotte, Bremen - Oslebshausen	Main production: Coke and by- products, Cement, pigiron, Thomas steel ingots, Ferro- vanadium	U.S.	Holland India Australia Yugoslavia Norway Czechoslovakia Belgium Greece
19	Hahn Tessky Index Werke - Esslingen - Neckar	Main production: Single spindle automatic screw machines	U.S.	France U.K. U.S.A. Holland India Australia Czechoslovakia Belgium Denmark Greece
20	Fabrik Kaufbeuren Kaufbeuren explosives factory. Destroyed 13th November 1945.	Production: Smokeless powder. Only universal machines are in existence.	U.S.	France U.K. Holland Australia Belgium Greece

Official number	Name of Plant	Description	Zone	Claimant country
21	Fabrik "aschau, Muehldorf explosives factory.	Only universal equipment .	U.S.	France England Holland Australia Belgium
22	Fabrik Ebnhausen, explosives factory near Ingolstadt (destroyed 13th November 1945)	"	U.S.	England Holland Australia Czechoslovakia Belgium
23	Wehrmacht Ordnance Plant Artillery ammunition plant, Strass.	Ammunition	U.S.	Holland Australia Belgium
24	Wehrmacht Ordnance Plant Artillery ammunition plant. Geretsried-Wolfratshausen	"	U.S.	France Holland Australia Egypt
25	Wehrmacht Ordnance Plant Dcsnig	Production of shell cases and filling of artillery shells cartridges and mortar shells	U.S.	Holland Australia
1013	Wihelmshaven Werft	Shipyards	British	No claims
1014	Norddeutsche Dornierwerke No. 2 Factory, Luebeck	Formerly produced aircraft parts. Now producing stoves, saucepans and household utensils	British	Prance England Holland Australia Belgium Egypt Greece
1015	Norddeutsche Dornierwerke No. 4 Hothebeck	Air frame parts	British	U.S.A. Greece Belgium France Netherlands

Official number	Name of Plant	Description	Zone	Claimant country
1016	Arms Factory Rinker- Minden	Production: Shell cases, tank parts and small tools	British	France Australia Holland Czechoslovakia India Greece
1017	Metallwerke Wolfen- buettel GmbH - Wolfenbuettel	Cartridge Cases for small-arm ammunition and cases for artillery shells	British	France Czechoslovakia Holland Belgium Australia Greece
1018	Wolf & Co., Factory A, Bomlitz	Production; Substance used in preparation of gun charges	British	Australia Yugoslavia
1019	Wolf & Co., Factory B, Doerverden	dito	British	Australia Yugoslavia
1020	Wolf & Co., Factory C, Liebenau	dito	British	France Australia

(Note on plants Nos. 1018, 1019 & 1020. The universal equipment in those three plants is suitable for reparations. 5 power plants of 7500 Kwh each. Acid recovery, Ednixing plants, Mechanical repair shops. Mixers and rolling-mills, Hydraulic presses.)

1021	Dynamit A.G. - Duneberg	Production; Substance used in the preparation of gun charges. Universal equipment for reparation. Steam generators. Rolling mills & hydraulic presses.	British	France Australia Yugoslavia
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Official number	Name of Plant	Description	Zone	Claimant country
1022	Dynamit A.G.- Krummel	Production: High explosives. Unfinished plants. Bomb charges Universal equipment for reparations. Acid purifiers. Nitration plants. Paper Mill machinery. Steam gener- ators. Repair shops. Sulphuric acid plants	British	Australia Yugoslavia
(Note: This plant supplies, mainly, a large quantity of explosives for war purposes. For peace-time needs, it produces a relatively small quantity of explosives for mining and plastics. No decision can yet be reached regarding the handing over of the equipment of these plants.)				
1023	Warren Commissions A.G. Denenberg Elbe.	Production: High explosives. Suitable for reparations. Small electric gen- erating plant. Acid recovery and concen- tration plant. Nitration plants. Repair shops.		
1024	Clausthal - Clausthal-Zellerfeld	Production: High explosives, bomb and shell charges. Suitable for reparations. Acid recovery and con- centration plant. Nitration plants and miscellaneous equipment.	British	France Yugoslavia
1025	Heeres Munitions Anstalt Ahrbergen	Charges for shells and grenades	British	

Official number	Name of Plant	Description	Lone	Claimant country
1026	Hans Moog, Wuppertal Ronsdorf	Pyrotechnical charges	British	
1027	Glaswerk Ridel Under-ground factory in salt mine -- Burgdorf.	Charges for mortar shells.	British	
1028	Sperrwaffenarsenal - Druchwald Soltan	Marine mine filling	British	
1029	Heeres Munitions Anstalt Lshre	Heavy shell filling	British	
1030	Heeres Munitions Anstalt Grasleben - Helmstadt	Medium shell filling	British	
1031	Luftshaupt Munitions Anstalt , Hambrihren	Shells	British	
1032	Heeres Munitions Anstalt Locksledden-Lager	Small calibre fixed gun ammunition filling and assembly	British	France Yugoslavia
1033	Heeres Munitions Anstalt Bodenteich	Shells, grenades	British	
1034	Fulbanlage Clauen - Clauen	Heavy shell filling	British	
1035	Heeres Munitions Anstalt Godenau ueber Alfeld	Ammunition fillings	British	
1036	Luftshaupt Munitions Anstalt, Wienberg weser	Medium anti-aircraft shell filling	British	France

Official number	Name of Plant	Description	Zone	Claimant country
1037	Heeres Munitions Anstalt Scheuen	Medium shell filling	British	
<p>Note: All shell-producing plants contain a large quantity of general technical equipment such as hydraulic presses, conveyers, painting equipment and other equipment which might be of interest for reparations,</p>				
1038	IG. Uerdingen, Uerdingen	A mercury cell plant intended for production of 20,000 tons of chlorine per annum. It is unfinished but about half of the plant has been delivered on the site. This can be made available for reparations and has a value of approximately 2 million marks	British	Soviet Union Norway
1039	Chemische Werke Harzwerer, Langelsheim	Activated carbon for gas-masks. General equipment suitable for reparations.	British	Yugoslavia
1040	Stuhlrohrfabrik von Rudolph Sieverts, Hamburg Bergedorf	General equipment	British	Holland Belgium Norway Greece Australia Czechoslovakia
1041	Norddeutsche Dornierwerke No.7 Factory Bieksrade	General equipment	British	Egypt Greece India Belgium
1002	Aluminium foil works- Werke Tscheldin, Tennigen	Aluminium foil	French	France Yugoslavia England Belgium U.S.A. Denmark India Greece Czechoslovakia Holland
1003	Tractor plant Maschinenfabrik Fahr A.G. Gottmadingen	Harvesting equipment and tractors	French	Australia Norway France Belgium England Egypt U.S.A. Denmark Holland Greece India

Official number	Name of Plant	Description	Zone	Claimant countries
2004	Tractor factory Maschinenfabrik Gebrueder Krammer, Gottmadingen	Tractors	French	France Yugoslavia Holland Belgium India Egypt Australia Greece
2005	Arms factory: Mauser Co, Oberndorf	Portable arms, rifles and pistols	French	France Yugoslavia England Belgium U.S.A. Greece Australia Czechoslovakia
2006	Arms factory - Mauser Co, Vohringen	Flame-throwers	French	Australia Greece Czechoslovakia
2007	I.G. Farbenindustrie A.G. (vinyl chloride plant), Rheinfelden	Vinyl chloride	French	France Australia England Norway Holland Czechoslovakia India Belgium
2008	Degussa Co, Rheinfelden	Hydrogen peroxide	French	France India England Australia USSR Czechoslovakia Canada Belgium Holland
2009	Bosch fittings factory Sulz	Ignition equipment parts	French	France Czechoslovakia U.S.A. Belgium Holland Greece Australia
2010	Aircraft factory - Sueddeutsche Dornier- werke, Friedrichshafen	Aircraft and air- craft parts, speed boats	French	Australia Czechoslovakia Greece
2011	Aircraft factory - Sueddeutsche Dornier- werke, Konstanz	Aircraft parts, including wing parts	French	Yugoslavia Czechoslovakia Greece
2012	Obering. O. Stellmann, Manzel	Aircraft parts	French	Yugoslavia Czechoslovakia Greece

Official number	Name of Plant	Description	Zone	Claimant countries
2013	Sueddeutsche Argus- werke Aviation equipment plant,, Baden-Baden.	Duralumin aircraft parts	French	Holland Belgium Greece
2014	Sueddeutsche Argus- werke. Aviation equipment plant. Dusslingen	Bearings	French	India Australia Czechoslovakia Yugoslavia
2015	Sueddeutsche Argus- werke Aviation equipment plant. Brombach	Metal armatures	French	India Norway Czechoslovakia Greece
2016	Sueddeutsche Argus- werke Aviation equipment plant, Pfullendorf	Aircraft brakes	French	Australia Greece Czechoslovakia Australia
2017	Stoll Plant, Reutlingen Wuerttemberg	Universal equipment	French	No claims.

Approved at Berlin 2 April 1946.

CORC/P(46)116

NOTE: At its Meeting held on 21st March 1946, the Directorate of Economics agreed to hand over to the Soviet Union (including Poland) plants Nos. 1038 and 2008, from among the plants listed in list No.2, and the remaining plants, with the exception of No.1013 and 2017, to other powers entitled to reparations. The Directorate took note of the statement made by the Soviet delegate that he reserved the right to present his claims for plants Nos.1013 and 2017 on receipt of their description,

The Coordinating Committee in its Meeting of 2 April 1946 allocated to the Soviet Union plant 1013 provided it had been published as available for reparations,

COORDINATING COMMITTEE

CONTROL AND LICENSING OF BUILDING WORK

1. OBJECTS OF CONTROL

The objects of the proposed system of control and licensing of building works are:

- (a) To ensure that there shall be no labor or material used for non-essential or unauthorized construction, reconstruction or repairs of any kind, and that the proper use is made of material and labor for essential and authorized construction, reconstruction or repairs,
 - (i) By imposing maximum standards of design and workmanship.
 - (ii) By permitting only such construction, reconstruction or repairs as conform to an authorized building program predicated upon the needs of a German peacetime economy.
- (b) To prevent the re-establishment of a German war potential.
 - (i) By issuing instructions for the demolition of certain categories of buildings and civil engineering works following upon decisions by higher authority.
 - (ii) By preventing the construction of such categories of buildings and civil engineering works as would be capable of subsequent conversion do the development of a war potential.

2. BULK ALLOCATIONS

To ensure equitable distribution between zones of the resources of the Building Industries in proportion to the legitimate requirements of each zone, allocations will be made at appropriate intervals in accordance with the following procedure:

- (a) Estimates will be made, in each Zone, of the availability of building materials and labor and the quantities of fuel needed, in each Zone, to produce the required amounts of such materials. These estimates will be made on monthly basis for a period of six months.
- (b) A projected Building program for work, costing 10,000 Marks or more will be drawn up by months for a period of 6 months, by each of the appropriate German organization under Military Government supervision. Each such Building program will be broken down by materials and labor requirements in the program and will include any special work to be ordered by the Military Government. The program will be grouped under the following headings:
 - (i) Requirements of the Occupying forces
 - (ii) War Damage Repairs:
 - (a) Housing
 - (b) Public Utilities
 - (c) Other essential Buildings
 - (iii) Demolition, Clearance of War Debris, Salvage of Materials.
 - (iv) Other new works subdivided as follows:
 - (a) Housing, temporary and permanent
 - (b) Health and welfare
 - (c) Public Utilities
 - (d) Communications
 - (e) Transport - railways, roads, bridges, inland waterways, docks and harbours
 - (f) Agriculture, Land Drainage and Forestry
 - (g) Industrial
 - (h) Commercial
 - (i) State and Municipal
 - (j) Education
 - (k) Entertainment
 - (l) Other Works
- (c) Building offices to be organized under the German Provincial Administration in each Zone, will draw up estimates of materials and labor requirements to cover maintenance and small new construction, reconstruction, or repairs (i.e. those below 10,000 Marks in cost).

- (d) The building material allocations for each Zone will be recommended quarterly on the basis of (a), (b), and (c) above by the Building Industries Sub-Committee for the consideration of the Industry Committee (and, if necessary for higher authority) taking into consideration possible materials for export in accordance with the policies as given by the Economic Directorate, Control Council.

The recommended bulk allocations, when approved, will be made by months, for a period of 6 months. Those made for the three months period following the date of approval, will be on a firm basis whereas advance allocations, made for the second three months period, will be provisional and subject to review and adjustment as required.

- (e) When bulk allocation has been approved, the Military Government Authority responsible for controlling building in each Zone, will be instructed by the appropriate body of the Allied Control Authority to work to the allocation laid down for each zone, and to export the agreed quantities of material to the other zones.

3. ZONAL ALLOCATIONS.

When the bulk allocation has been made known, it will be the responsibility of the appropriate Allied Authority in each zone to make sub-allocations to each of the German organisations in its zone on the basis of 2 (b) above,

4. OPERATION OF THE SCHEME WITHIN THE ZONE.

- (a) Each of the appropriate German organisations, when it has been notified of its sub-allocation, will under the instructions of the appropriate Allied authority plan its building program for the period, so as to work within the sub-allocation, and so as to employ the available labor and materials most effectively.

All building work to the cost of 10,000 Marks or more will be provided with labor and material out of the allocation made to the appropriate German organisation.

- (b) Material and labor for minor works, i.e., those below 10,000 Marks in cost will be provided from a special allocation for maintenance and small work based on para 2(c) above.
- (c) Every building project will be submitted to the local German building office for approval for issue of a building license before commencement.

5. LICENSING SYSTEM.

The Licensing system, so far as it effects the German, is set out in the order to the German Provincial Oberpraesident - (Licensing of Building Works at Appendix "A").

6. CONTROL BY MILITARY GOVERNMENT.

The extent to which the licensing power will be delegated to German authorities will be determined, for the time being, by each Zone Commander. In order to encourage uniformity among the several zones, the following program is recommended for consideration by each Zone Commander, although it may prove advisable to delegate to German authorities the power to license larger or smaller projects than the suggested program contemplates.

There will be a delegated authority to the German building authority to license works from 200 - 19,000 Marks. Monthly reports will be supplied by the German building authority to Military Government giving particulars of licenses issued. The German building authority will be responsible for ensuring that the Kreis monthly maximum is not exceeded and that the work to be licensed conforms to the standard of construction to be laid down (See para 9).

Prior to the issue of licenses for projects costing from 10,000 to 100,000 Marks, weekly lists of proposed construction projects will be submitted to Military Government at Provincial Headquarters. The Military Government Building Officers will scrutinize these lists and give approval of the licenses after consultation with the appropriate Military Government authority as to necessity and urgency. They may veto any project which may contribute to a war potential.

All the works to the cost of 100,000 to 1,000,000 Marks must be approved by the Province Military Government Building Officer. Details of the proposed works will be submitted by the German Province Building Officer, and will be examined by the Province Military Government Building Officer. This officer will consult the appropriate Military Government authority as to necessity and urgency, and will satisfy himself that the work is economical in design and conforms

to the standard of building construction to be laid down. If he gives approval, he will endorse the license which will be returned to the German Province Building Office for issue,

Work estimated to cost over 1,000,000 Marks will also be submitted by the German Building Office to the Province Military Government Building Officer, who, after preliminary scrutiny, will forward them to the Military Government Building Authority at Zone H.Q., together with his own observations. The Military Government Building Authority at Zone H.Q. will consult appropriate other Military Government representatives as to necessity and urgency. If approved, the Province Military Government Building Officer will be authorized to endorse the building license for issue by the German Province Building Office.

Note: No project shall be licensed under the terms specified in the foregoing unless it appears certain that the project is capable of being completed within the material allocations referred to in paragraph 3 and 4(a) above,

Implementation of the licensing functions will be reviewed quarterly in order eventually to ensure the largest practicable degree of uniformity.

In addition to the foregoing (para 6), instructions should be drawn up (which will be issued later as an integral part of the controls over building construction), in accordance with which there will be determined the maximum annual allowable capital investment ~~available~~ for domestic construction, industrial construction, and public buildings, by individuals, firms or other business enterprises or municipalities.

It is understood that the maximum figure may be exceeded at the initiation of the Zone Commander when necessary to achieve some object in accordance with the needs of the occupying powers, reporting such exception to the Control Council,

7. AUTHORIZATION OF WORKS.

Periodical instructions will be given defining the nature and importance of the works to be authorized taking into consideration the requirements of building and the production of building materials. The first instructions in regard to the emergency repair of houses is contained in Appendix "B".

8. APPLICATION FOR LICENSES.

All applications for licenses will be made on an official form and will be accompanied by the necessary details and drawings as may be required. If insufficient details are provided, further information will be asked for before the application is considered.

However, so as to avoid a waste of time in preparation of final plans for schemes, which are not likely to be approved, Military Government Officers dealing with the building projects may at their discretion notify "provisional approval" upon receipt of outlined particulars. Final approval and issue of the building licenses will not be given until adequate plans and details have been received and scrutinized. It should be understood that "provisional approval" does not carry with it the right to commence any building on the site,

9. KREIS MONTHLY MAXIMUM.

So as to ensure that the Germans do not authorize an excessive number of minor works (i.e. costing less than 10,000 Marks) a Kreis MONTHLY MAXIMUM will be operated. This will be calculated upon a population based at so many marks per head of the population in the Kreis. The factor may be varied from time to time as between one Kreis and another, according to circumstances, and will be decided by the appropriate Military Government Officer at Province Headquarters. It should not be fixed at less than two Marks per head nor more than 5 marks without consultation with the appropriate branch of Military Government at Zone Headquarters.

10. REASONS FOR REFUSAL OF LICENSES.

Military Government may veto or refuse to endorse a building license for any civilian project on one or more of the following grounds:

- (a) It is not considered necessary or urgent by branch or division of Military Government concerned, or contributes to a war potential or conflicts with Allied policy.
- (b) It does not conform to the most economical standard of constructional design.
- (c) It is beyond the capacity of the Building Industries in respect of materials or labor or both having regard for the volume of building work already in hand.

11. BUILDING WORK REQUIRED FOR OCCUPYING FORCES.

For any work required for occupying forces (including Military Government) an order on a special form will be issued. Such orders will be stamped and counter-signed by the appropriate Military Government formation and will then constitute the building license carrying automatic priority over licenses issued for German Civilian building.

12. STANDARDS OF CONSTRUCTION.

All work involving new construction and of work of repair (including maintenance) shall comply with the standards of construction to be laid down. This will apply both to work for the Occupying Forces and to work for the Germans.

13. COUPONS OR CERTIFICATES FOR MATERIAL.

A coupon system for the control of materials will be installed as and when necessary.

14. RETURNS.

So as to ensure that there is an effective check upon the Germans in operating this control and licensing scheme, there will be a system of monthly returns from every builder giving details of all materials and labor already used and required in the future in respect of all works in progress. Reports will be submitted to Military Government by the German Provincial Building Office in respect of all major work over 100,000 Marks in cost.

15. GERMAN PROVINCIAL ADMINISTRATION.

German Provincial Administration with suitable personnel will be employed to the maximum extent possible in the Administration of the scheme.

16. PENALTIES.

It will be the responsibility of the German Authorities to enforce the regulations and provide for punishment of any persons infringing them.

17. MODIFICATIONS.

This procedure will be subject to such modifications from time to time as changing circumstances will necessitate,

Approved in principle at Berlin
26 April 1946

CORC/P(46)118 (Revise)

APPENDIX "A" to
CORC/P(46)118(Revise).

DRAFT ORDER TO GERMAN PROVINCIAL OBER-
PRAESIDENT LICENSING OF BUILDING WORKS

In order to ensure control of Building you will establish a scheme for the licensing of building work as-prescribed herein and will ensure that the provision of this Order is complied with by all officials, architects, engineers, building contractors, building owners, and occupiers within your area,

1. SCOPE OF ORDER.

This order applies to all building work including:

- (a) repairs, maintenance and decoration
- (b) addition, alteration or reconstruction of buildings both internal and external
- (c) civil engineering work whether above or below ground both internal and external,

irrespective of whether or not building labor will be employed to carry out the work and whether or not controls of materials are required.

This Order applies to State and Municipal building work equally with private work,

This Order does not apply to building work to be done on orders from the Occupying Forces, Military Government, which will continue to be dealt with on a special form, which form when stamped by Military Government will constitute a special license carrying priority over all civilian building licenses for the acquisition of materials and the provision of labor, All applications for the issue of a building license will be made on an official form.

2. SPECIFIC RESTRICTIONS.

- (a) No owner or occupier on any building, works, or land shall after (date) in respect of such property, do or permit to be done, any building work the aggregate of which over any period of twelve months totals a cost of 200 Marks or more, based on mid-1944 building values or involves the employment of more than two building workers without first obtaining a building license,

Building works which have already commenced must be duly authorized by a new building license not later than (date) otherwise they must cease by that date. No builder shall commence or continue any building work without having first been supplied with a copy of the requisite building license.

(b) Work of the cost of 200 to 10,000 Marks may be licensed by the appropriate building office. The local Administrative Building Office will be responsible for ensuring that a monthly maximum to be laid down by Military Government for each Kreis is not exceeded, Monthly Statement of licenses issued will be rendered to Military Government. For works of the cost of 10,000 to 100,000 Marks weekly statements are to be drawn up prior to the issue of licenses and submitted to the Provincial Military Government Headquarters for approval. These statements must include the location, distribution, purpose and cost of the work with particulars of labor to be employed and building material to be used. After approval, the statement should be returned to the German Administrative Building Office for the license to be issued and for the building works to commence,

(c) Where the cost of the work is over 100,000 Marks, the application for the license must be sent by the appropriate building office to the German Provincial Building Office. This Office will draw up a form of license, and submit it to the Provincial Headquarters of Military Government with all necessary particulars. The building license will only be valid when endorsed by the Provincial Headquarters Military Government.

(d) For work to the cost of 100,000 Marks or more, labor and material requirements must be stated separately for each month,

(e) Where, during the progress of any licensed building work, it is found that the cost will exceed the licensed figure by 10% or more, a supplementary license must be obtained and authorized by the authority who issued the original license if the extra expense is incurred.

(f) All licensed works must comply with all regulations for the control of building and with the standards of building construction to be laid down.

(g) Within seventy-two hours of the discovery of any suspected or actual violation of the provision of this Order, it will be the duty of the officer discovering the violation to report the details of the case to the appropriate Military Government Detachment Commander.

3. EMERGENCY REPAIR OF HOUSES.

Instruction of the German Building Committee of Sept. 15, 1943, should be taken as guidance in carrying out emergency repairs of houses. These instructions should be worked out accordingly.

The unit of housing space per person should be 4 square meters. "Person" shall not include a child under one year of age and each child between 1 year and 14 years of age shall be considered as half a person.

The following average quantity of basic materials should be used for this purpose:

1. Timber	-	0.005	c.m.
2. Lime	-	20	klg
3. Cement	-	15	"
4. Glass	-	0.6	sq.m.
5. Roofing Felt and other similar materials	-	0.45	" "
6. Tiles and other roofing materials	-	0.3	" "

4. OPERATION OF THE LICENSING SCHEME.

(a) You will issue the necessary instructions and regulations to all concerned specifying the restrictions on building work within your area. Such regulations will

- (i) be submitted to the appropriate Military Government Detachment Commander for his approval prior to issue
- (ii) provide for the punishment of persons who do not comply with their provisions
- (iii) be enforceable in Court in accordance with Military Government orders.

5. CONTROL OF WORKS IN THE FIELD.

A copy of the licenses must be retained permanently on all building sites. These licenses must be produced at the request of a competent German Authority or of an officer of Military Government.

6. LIABILITY OF OBER-RAESIDENT AND OFFICIALS.

You and all building officials, inspectors and the like in your area will be personally responsible for ensuring that the provisions of **this** order are carried out on and from this day of _____(date) 1946, and failure to do so or conniving or otherwise assisting in or facilitating the violation of the provisions of this order or of any regulations issued hereunder, and also for permitting the carrying out of works without authorizations on the part of any person, will render yourself or such officials liable for non-execution of Military Government Orders,

APPENDIX "B" to
CORC/P(46)118(Revise)

EMERGENCY REPAIRS TO HOUSES

In order to effect emergency repairs of houses the German Building Administration will be requested to follow the instructions of the German Building Committee of 15 September 1943, which should be worked out accordingly.

The unit of housing space per person should be 4 square meters. "Person" shall not include a child under one year of age and each child between 1 year and 14 years of age shall be considered as half a person.

The expenditure of basic material in order to repair such a living space (4 sq.m.) should be as follows:

- | | | |
|---|---|--------------|
| 1. Timber | - | 0,005 cub.m. |
| 2. Cement | - | 15 klg. |
| 3. Lime | - | 20 klg. |
| 4. Glass | - | 0.6 sq.m. |
| 5. Roofing Felt and other similar materials | - | 0.45 sq.m. |
| 6. Tiles and other roofing material | - | 0.3 sq.m. |

COORDINATING COMMITTEECoordination Between Directorates of the Control Staff

Note by the Allied Secretariat

1. Under the provisions of CORC/F(45)2 (Final), 19 August 1945, Directorates were authorized to coopt such representatives of, or to consult such other Directorates as they might deem desirable in studying the report of the Potsdam Conference.
2. However, in the presentation of papers to the Coordinating Committee, numerous instances have arisen where individual Directorates of the Control Staff have failed to consult other interested Directorates before submitting recommendations to the Coordinating Committee.
3. This lack of coordination among the Directorates of the Control Staff has resulted in a delay of the approval of policies and in unnecessary preliminary consideration of certain papers by the Coordinating Committee. For example, in many cases papers presented by one Directorate to the Coordinating Committee are on first consideration merely referred to other Directorates of the Control Staff for comment. This does not appear to be a valuable use of the time of the Coordinating Committee and results in unnecessary additional paper work.
4. It is suggested that an extension of authority to the Directorates to consult other interested Directorates is necessary, inasmuch as it is desirable that all papers presented to the Coordinating Committee and the Control Council by the Control Staff should contain the views of all Directorates interested in the particular subject dealt with. Individual Directorates proposing a policy on a particular subject should either obtain the concurrence of other interested Directorates or include in their presentation a brief statement of non-concurrence from an interested Directorate, if that be the case. In the event a Directorate does not consider consultation with another agency of the Allied Control Authority necessary, a statement to that effect should be included in the cover note of the Directorate.
5. To make this procedure effective, it would be necessary to charge an element of the Allied Control Authority with the responsibility for insuring coordination between Directorates. The Allied

Secretariat appears to be the proper body to effect this, inasmuch as it accepts papers for the Coordinating Committee and prepares the agenda for its meeting.

6, It is recommended to the Coordinating Committee that the following measures be approved:

a. All Directorates of the Control Staff and agencies of the Allied Control Authority will consult other interested Directorates prior to the submission of a paper to the Coordinating Committee. The sponsoring Directorate or agency will include either in the cover note by its Secretariat, or in the body of the paper, a list of the other Directorates consulted along with an indication of their concurrence or non-concurrence. If a Directorate which has been consulted does not concur, a brief statement of the reasons therefor will be included in the paper finally presented to the Coordinating Committee. When consultation with other Directorates or agencies is not considered necessary, the originating Directorate will so state in the cover note of the paper.

b. The Allied Secretariat is charged with the responsibility of insuring coordination between the various Directorates of the Control Staff in the presentation of papers to the Coordinating Committee and the Control Council,

c. To perform this function, the Allied Secretariat is authorized, in considering papers for presentation to the Coordinating Committee, to return them, if necessary, to the originating Directorate for consultation with other interested Directorates and for an indication of their concurrence or non-concurrence,

S. M. KUDRIAVTSEV, Counsellor

H. A. GERHARDT, Colonel

T. N. GRAZEBROOK, Brigadier

L. J. CALVY

Allied Secretariat

Approved at Berlin 2 April 1946

CORC/P(46)121

COORDINATING COMMITTEESending of Representatives of Educational Institutions
to the Nuremberg Trials

(Note by Allied Secretariat)

In connection with the consideration of the request 02 the Allied Kommandatura of Berlin concerning the sending of educational representatives from the city of Berlin to the Nuremberg trials, the Coordinating Committee recommended that the I.A. & C. Directorate examine the proposal by General Koeltz on the desirability of sending representatives of educational institutions from other cities to the Nuremberg trials (Conclusion (145), CORC/M(46)14) .

At its 25th meeting, the Internal Affairs and Communications Directorate considered this subject and decided:

To request the Coordinating Committee to approve the sending of two representatives of educational institutions per week from each zone of occupation to the Nuremberg trials.

The Directorate is giving further consideration to the selection of representatives and to the utilization of their observations and reports upon their return.

This paper is circulated for the consideration of the Coordinating Committee at their 49th Meeting to be held on 8 April 1946.

H. A. GERHARDT, Colonel

T. N. GRAZEBROOK, Brigadier

L. J. CALVY

S. M. KUDRIAVTSEV, Counsellor

Allied Secretariat

CORC/F(46)125

Approved at Berlin 8 April 1946

CONTROL COUNCIL

LAW NO. 22

Works Councils

The Control Council enacts as follows:

Article 1

The organization and activities of Works Councils (Betriebsräte) to represent the professional, economic and social interests of the workers and employees in each individual enterprise are hereby permitted throughout Germany.

Article 2

1. A Works council for an enterprise shall consist only of persons actually working in that enterprise.
2. No official of the former German Labor Front (Deutsche Arbeitsfront) or former member of the Nazi Party shall be a member of a Works Council.

Article 3

1. Members of Works Councils shall be elected by democratic methods. Voting shall be by secret ballot.
2. No person may hold office as a member of a Works Council for more than one year without re-election,

Article 4

1. Workers and employees of an enterprise may form a Preparatory Committee for the Purpose of making recommendations with regard to the composition of the Works Council and the conduct of the election of members thereof. These recommendations shall be subject to the approval by the majority of the workers and the employees of the enterprise.
2. Recognized Trade Unions may participate in the formation of Preparatory Committees and in the organization of elections to Works councils, and may propose candidates for works Councils from among workers and employees of the enterprise concerned.

Article 5

1. Works Councils may have as their basic functions any of the following matters relating to the protection of the interests of the workers and employees of an enterprise except insofar as these matters are governed by or are subject to any restriction by regulations having the force of law:

- (a) Negotiations with employers on the application of collective agreements and of internal regulations to individual enterprises,
- (b) Negotiations of agreements with the employers regarding factory regulations for the protection of labor, including such matters as safety precautions, medical facilities, factory hygiene, working conditions, rules for engagements, dismissals, and settlement of grievances.
- (c) Submission of proposals to the employer for the improvement of methods of work and organization of production for the purpose of avoiding unemployment.
- (d) Investigation of grievances and discussion thereof with the employer; assistance to the workers, employees and Trade Unions in the preparation of cases for submission to factory inspectors, social insurance and labor protection authorities, labor courts and other agencies for settling labor disputes,
- (e) Co-operation with the authorities in the prevention of all war production and in the de-nazification of public and private enterprises,
- (f) Participation in the creation and management of social works designed for the welfare of the workers of an enterprise, including nurseries, medical assistance, sports, etc,

2 Each Works Council shall determine its specific functions and procedure within the limits set forth in this law.

Article 6

1. A Works Council or its representatives shall be entitled to meet within the enterprise, and to have access to the employer or his nominated representative for the purpose of discussing matters falling within the competence of the Works Council.

2. The employer shall submit periodically to the Works Council all information necessary to enable the latter to carry out its basic functions.

3. The matters on which the employer shall submit reports to the Works Council and the hours and dates of meetings shall be the subject of an agreement between the Works Council and the employer. This agreement may provide, as a method of information, for the attendance of representatives of the Works Council at meetings of the supervisory body of the enterprise.

Article 7

Works Councils shall carry out their functions in cooperation with the recognized Trade Unions.

Article 8

In addition to their regular meetings, Works Councils shall give a full report of their activities at least once every quarter to a general meeting of the workers and employees concerned.

Article 9

No employer shall hinder the establishment of a works Council in his enterprise, or interfere with its activities, or discriminate against the members of the Works Council.

Article 10

Military Government authorities may dissolve any Works Council if its activities are directed against the aims of the occupation or are in conflict with the provisions of this law.

Article 11

The provisions of this law shall also apply to Works councils which were in existence prior to the date of its coming into force,

Article 12

All German laws conflicting with this Law are repealed or amended in conformity with the provisions of this law,

Article 13

This law shall come into force on the date of its publication,

Done at Berlin the 10th day of April 1946

/s/ Joseph T. McNarney
/t/ JOSEPH T. McNARNEY
General

/s/ Montgomery
/t/ MONTGOMERY OF ALAMEIN
Field Marshal

/s/ P. Koenig
/t/ P. KOENIG
General de Corps d'Armee

/s/ V. Sokolovsky
/t/ V. SOKOLOVSKY
Army General

"1800 hours, 17 April 1946, was agreed to as the date of promulgation of Control Council Law No. 22."

CONL/P(46)25(Final)
10 April 1946